

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 JAN 28 AM 10:37

UNITED STATES OF AMERICA,

Plaintiff,

v.

Todd Quincey FREEMAN

Defendant.

Magistrate Case No.

'08 MJ 0233
PROV DEPUTY

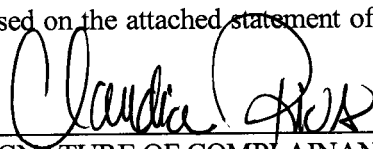
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation (Felony)

The undersigned complainant being duly sworn states:

On or about **January 25, 2008**, within the Southern District of California, defendant **Todd Quincey FREEMAN**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Jose Abel MUNGUIA-Ramirez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Claudia Rios, U.S. Customs and Border
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **28th** DAY OF
JANUARY, 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, United States Customs and Border Protection (CBP) Enforcement Officer Alfredo Loperena, declare under penalty of perjury the following to be true and correct:

The complainant states that **Jose Abel MUNGUIA-Ramirez** is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material; that it is impracticable to secure his attendance at trial by subpoena; and that he is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 25, 2008, at approximately 0540 hours, **Todd Quincey FREEMAN (Defendant)**, made application for admission into the United States from Mexico at the San Ysidro Port of Entry vehicle entrance, lane #18. Defendant was the driver of a grey Ford F-350 pick-up. Defendant approached the inspection booth on lane eighteen (18) and was contacted by a U.S. Customs and Border Protection (CBP) officer. During a primary vehicle inspection, Defendant presented a California identification card for himself, bearing his name and likeness. Upon questioning, Defendant stated he was not bringing anything from Mexico. Defendant stated he had gone to Mexico to check on a company boat that was anchored in Ensenada, Mexico. Defendant stated the vehicle was a company owned vehicle. During a primary vehicle inspection, the CBP Officer noticed modifications to the rear seat and discovered a person concealed under the rear bench seat. The primary CBP officer took Defendant into custody and escorted the Defendant and vehicle to secondary for further inspection.

During secondary inspection, two males were discovered concealed in a modified rear seat compartment. Both were confirmed to be citizens and natives of Mexico with no entitlements to enter the United States. The concealed male under the seat, now identified as **Jose Abel MUNGUIA-Ramirez** was held as a Material Witness; the second concealed male was processed administratively and released.

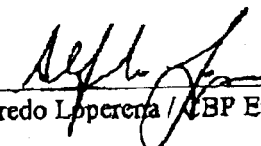
During a videotaped proceeding, Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted full knowledge that he was smuggling undocumented aliens into the United States. Defendant admitted he was to be paid \$300.00 U.S. dollars per person that he was smuggling. Defendant admitted knowledge of concealment location within the vehicle. Defendant further admitted that he was to drive the vehicle into the United States, smuggle the undocumented aliens and take the vehicle to a pre-determined location in Chula Vista, California.

MIP

PROBABLE CAUSE STATEMENT (continued)

A videotaped interview was conducted with the Material Witness. Material Witness stated he is a citizen of Mexico and that he does not possess documents to lawfully enter the United States. Material Witnesses stated he made arrangements with an unknown subject in Mexico and was to pay \$2,000 U.S. dollars to be smuggled to into the United States. Material witness stated his final destination was Vista, California to live and seek employment. Material Witness did not implicate defendant.

EXECUTED ON THIS 25th DAY OF JANUARY 2008 AT 1300.

 *7440
Alfredo Lopez / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (2) pages, I find probable cause to believe that the defendant named therein committed the offense on January 25, 2008 in violation of Title 8, United States Code, Section 1324.


MAGISTRATE JUDGE

1-26-08 @ 2:43 pm
DATE / TIME